

KEVIN V. RYAN (CSBN 118321)
 United States Attorney

MARK L KROTOSKI (CSBN 138549)
 Chief, Criminal Division

STEPHANIE M. HINDS (CSBN 154284)
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-6816
 Facsimile: (415) 436-6748
 email: stephanie.hinds@usdoj.gov

E-filed 9/11/06

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE VENUE

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 \$82,464.18 IN NET PROCEEDS FROM)
 THE SALE OF 1489 HARRIET AVENUE,)
 CAMPBELL, CALIFORNIA,)
)
 Defendant.)
)
)

No. C 02-5105 JF

**STIPULATION AND ~~[PROPOSED]~~ ORDER
 TO EXTEND STAY AND CONTINUE
 CASE MANAGEMENT CONFERENCE**

Date: September 15, 2006
 Time: 10:30 a.m.
 Place: Hon. Jeremy Fogel

IT IS HEREBY STIPULATED by and between plaintiff United States of America and claimants Michael and Jessica Costa, through undersigned counsel, that this Court enter a further Order staying this action, pursuant to 21 U.S.C. § 881(i). Claimants are defendants in United States v. Michael Costa, et al., CR 02-20059 JF. The allegations in the forfeiture complaint are based, in large part, on the allegations at issue in the pending criminal action. Consequently, the parties agree that a stay in the forfeiture proceeding is appropriate in order to preserve each claimant's right against self-incrimination in the related criminal matter. The parties are advised that the criminal case is still ongoing. Thus, the factual predicate for the initial request for the stay has not changed since the criminal case is ongoing.

DATED: 09/07/06

_____/S/_____
STUART KIRCHICK
Attorney for Claimants Michael and Jessica Costa

Upon the stipulation of counsel, and good cause appearing, the above-captioned civil forfeiture action is stayed in light of the pending related criminal prosecution of claimants Michael and Jessica Costa. The case management conference currently scheduled for September 15, 2006, is vacated. The matter is continued until December 15, 2006 for further status.


JEREMY FOGEL
United States District Judge